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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,669	01/10/2002	Satoshi Fujioka	Q68022	2951

7590 10/29/2004

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EXAMINER

TRAN, HUAN HUU

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,669

Applicant(s)

FUJIOKA, SATOSHI

Examiner

Huan H. Tran

Art Unit

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Handwritten signature

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-11, 13-15 and 26 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 16, 17, 21, 23-25 and 27 is/are rejected.
- 7) ☒ Claim(s) 3-5, 12, 18-20 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The substitute specification, **excluding the claims**, voluntarily filed by the applicant on 10/09/04 conforms to 37 CFR 1.125 (b) and (c). Accordingly, it has been entered.

Response to Arguments

2. Applicant's arguments, see the Remarks filed on 10/08/04, with respect to pending claims have been fully considered and are persuasive. The finality of the Office action dated 04/23/04 has been withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 2, 16, 17, 21, 23, 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Endo (JP 2000-318870 cited in the IDS filed on 01/10/02).

As to claim 1, Endo discloses a recording apparatus which records data on a recording medium comprising:

a suction unit (a platen 62 equipped with vacuum chamber 72 and vacuum fan 74) for sucking a recording medium (sheet body 56) which has passed in a recording unit (print head 54), said suction unit having a plurality of suction ports ((73) in a transporting direction of the recording medium (see Figs. 1 and 2; paragraph [0032];

wherein when the recording medium is not transported on the suction unit, the suction ports are closed (chambers 78-84 are closed by shutters 86) , and when the recording medium is transported on the

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suction unit, the suction ports are sequentially opened (via chambers 78-84) so as to spread a sucking area on the suction unit in accordance with transportation of a leading end of the recording medium (see paragraphs [0045]-[0050]).

As to claim 2, the limitation “wherein the suction ports are opened and closed by a shutter” is met by Endo. See shutters (86) closing suction ports (73) by closing chambers (78-84).

As to claim 21, the limitation “wherein the sucking area is defined on an area of the suction unit on which the recording medium is actually transported, and all of the suction (holes) ports in the sucking area (is) are opened to suck the recording medium” is met by Endo as it can be seen in Fig. 2 that all the suction ports (73) in the sucking area defined on an area of the suction unit on which the recording medium (56) is actually transported, are opened to suck the recording medium.

As to claim 27, the limitation “ wherein the sucking area increases as the sucking area is spread” is met by Endo as it can be seen in the drawings that the sucking area (the area corresponding to chambers 78-84) increases as the sucking area is spread in accordance with transportation of a leading end of the recording medium.

As to claim 16, Endo discloses a recording apparatus which records data on a recording medium comprising:

- a plate (76) having a plurality of suction ports (73) ; and

- a vacuum (72,74) that creates a negative pressure at the suction ports,

wherein the negative pressure at the suction ports is changed by selectively opening and closing the suction ports (see paragraphs [0045]-[0050]).

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As to claim 17, it is submitted that the claimed operation unit operatable by a user is inherent in the printing device of Endo to operate the printing device.

As to claim 23, Endo discloses the claimed recording apparatus. See the combined rejection of claims 1 and 2.

5. Claims 24, 25 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Juan (US Patent 6234472).

Juan discloses a recording apparatus which records data on a recording medium comprising: a suction unit (vacuum channels 380; vacuum holes 330,350; platen 400) for sucking a recording medium which has passed in a recording unit; and a changing means including an operational unit operatable by an user (control panel 120) for changing a sucking force of the suction means in accordance with a property of the recording medium, wherein the sucking force of the suction unit is changed so as to become larger as the recording medium becomes thicker (see Col. 7, lines 50-55 and Col. 8, lines 42-48 which show different operational levels of vacuum).

Allowable Subject Matter

6. Claims 3-5, 12, 18, 19, 20, 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 6-11, 13-15, 26 allowed.

8. The following is a statement of reasons for the indication of allowable subject matter:

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As to claim 26, Endo does not teach or suggest the recited structure of the suction unit .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan H. Tran whose telephone number is (571) 272-2261. The examiner can normally be reached on at work on W-F from 6:30 to 5; T are telework days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbot can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huan H. Tran
Primary Examiner
Art Unit 2861

hht
10/22/2004